



PTO/SB/17 (10-02)  
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FEE TRANSMITTAL for FY 2003 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
		Application Number	09/774,639-Conf. #8758	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	February 1, 2001	
		First Named Inventor	Dr. Steven M. Ruben	
		Examiner Name	C. Myers	
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Group Art Unit	1634
METHOD OF PAYMENT (check all that apply)		Attorney Docket No.		PZ013P1C1
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		FEE CALCULATION (continued)		
<input type="checkbox"/> Deposit Account		3. ADDITIONAL FEES		
Deposit Account Number		Large Entity Small Entity		
2008-3425		Fee Code Fee (\$)		
Deposit Account Name		Human Genome Sciences, Inc.		
The Commissioner is hereby authorized to: (check all that apply)		Fee Description Fee Paid		
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath		
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.		
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification		
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for ex parte reexamination		
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action		
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action		
Fee Code Fee (\$)	Fee Code Fee (\$)	1251 110 2251 55 Extension for reply within first month		
1001 750	2001 375	1252 410 2252 205 Extension for reply within second month		
1002 330	2002 165	1253 930 2253 465 Extension for reply within third month		
1003 520	2003 260	1254 1,450 2254 725 Extension for reply within fourth month		
1004 750	2004 375	1255 1,970 2255 985 Extension for reply within fifth month		
1005 160	2005 80	1401 320 2401 160 Notice of Appeal		
SUBTOTAL (1) (\$)		1402 320 2402 160 Filing a brief in support of an appeal		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1403 280 2403 140 Request for oral hearing		
Total Claims	53	1451 1,510 1451 1,510 Petition to institute a public use proceeding		
Independent Claims	10	1452 110 2452 55 Petition to revive - unavoidable		
Multiple Dependent		1453 1,300 2453 650 Petition to revive - unintentional		
Large Entity Small Entity		1501 1,300 2501 650 Utility issue fee (or reissue)		
Fee Code Fee (\$)	Fee Code Fee (\$)	1502 470 2502 235 Design issue fee		
1202 18	2202 9	1503 630 2503 315 Plant issue fee		
1201 84	2201 42	1460 130 1460 130 Petitions to the Commissioner		
1203 280	2203 140	1807 50 1807 50 Processing fee under 37 CFR 1.17(q)		
1204 84	2204 42	1806 180 1806 180 Submission of Information Disclosure Stmt		
1205 18	2205 9	8021 40 8021 40 Recording each patent assignment per property (times number of properties)		
SUBTOTAL (2) (\$)		1809 750 2809 375 Filing a submission after final rejection (37 CFR 1.129(a))		
**or number previously paid, if greater; For Reissues, see above		1810 750 2810 375 For each additional invention to be examined (37CFR 1.129(b))		
		1801 750 2801 375 Request for Continued Examination (RCE)		
		1802 900 1802 900 Request for expedited examination of a design application		
		Other fee (specify)		
		*Reduced by Basic Filing Fee Paid		
		SUBTOTAL (3) (\$)		
SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Janet M. Martineau	Registration No. (Attorney/Agent)	46,903	Telephone (301) 315-2723
Signature		Date	January 10, 2003	

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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TECH CENTER 1600/2900

In re application of: **Ruben *et al.***

Application Serial No.: 09/774,639

Art Unit: 1634

Filed: February 1, 2001

Examiner: Myers, C.

For: Secreted Protein HBJFE12  
(as amended)

Attorney Docket No.: PZ013P1C1

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.111 TO PAPER NO. 11**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Official Action dated October 17, 2002 (Paper No. 11), Applicants hereby request that the following amendments and remarks be entered into the above-captioned application. Applicants submit concurrently herewith: (a) a Version With Markings To Show Changes Made; (b) an executed Declaration of Dr. George Komatsoulis under 37 C.F.R. § 1.132; (c) Exhibits A-C; and (d) a Fee Transmittal Sheet (in duplicate).

**Amendments**

**In the Claims:**

**Please cancel claims 1, 11, 13, 17-18, 20, 22-24 and 77 without prejudice or disclaimer.**

**Please amend the following claims:**

19. (Once Amended) A method of diagnosing a pathological condition or susceptibility to a pathological condition in a subject comprising:

- (a) determining the presence or amount of expression of the polypeptide of claim 25 in a biological sample; and
- (b) diagnosing a pathological condition or susceptibility to a pathological condition based on the presence or amount of expression of the polypeptide.